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International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Concluding observations on the combined sixth to eighth periodic reports of Georgia

Addendum

Information received from Georgia on follow-up to the concluding observations*

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* The present document is being issued without formal editing.

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I. Information on the implementation of recommendation contained in paragraph 7 (anti-discrimination legislation) of concluding observations as requested by the Committee on the Elimination of Racial Discrimination

1. Awareness-raising on anti-discrimination legislation among vulnerable groups

1. On 21 July 2016 the Government of Georgia adopted the 2016–2017 National Human Rights Action Plan (hereinafter — HRAP). According to activities 10.1.1 and 10.1.3.1 of HRAP the Georgian authorities have committed to conduct awareness-raising trainings for public servants and minority groups on protection of the rights of ethnic minorities and anti-discrimination issues. For the effective implementation of the commitment, the LEPL Training Centre of Justice has organized trainings in all regions of Georgia densely populated with minorities — 25 areas in total. A training module has been created and trainers have been trained within the framework of the project.

2. On 22 March 2016 the representatives of the Public International Law department of the Ministry of Justice met with ethnic Azerbaijanis (25 participants) in the Community Center of Sadakhlo, Marneuli municipality. The participants of the meeting were informed about the violence against women, early and forced marriages, domestic violence and the protection of the rights of ethnic minorities.

3. In 2016, LEPL of the Ministry of Justice — Training Center of Justice carried out the project "Strengthening the Civil Society." The purpose of the project was to strengthen the civil society, raise the awareness among the population of regions and promote the development of their personal/practical skills. Within the framework of the mentioned project, during the period of July–September 2016, free trainings were held for the local population in 33 villages of Georgia, including those, which are inhabited by ethnic minorities. The trainings were conducted on 10 different topics, related to legal and social issues. Aforementioned topics included: 1) Law and human rights; 2) The system of constitutional bodies and local self-governance; 3) The basic concepts of commercial and tax law; 4) What is the European Union?; 5) What is discrimination?; 6) Effective communication; 7) Conflict management; 8) Time management; 9) Project management; 10) Project writing. The trainings were selected through conducting needs assessment of the local population and were focused on the development of practical skills, in order to actively involve the locals in state and social processes. 5350 participants attended the trainings. Each of the Trainings lasted for 3 hours.

4. Raising of awareness of general population about the harmful practices, violence against women and domestic violence is the integral part of the prevention. For that aim, since February 2017, the Ministry of Justice has started a large-scale social campaign named "Act on". The social campaign aims at prevention of violence against women through various activities, such as dissemination of video clips via TV and social media, information meetings and trainings with youth, minorities, people from rural areas, etc.

5. Within the framework of the social campaign, trainings on violence against women were organized in all regions of Georgia. The meetings were held in Public Service Halls and Community Centers. 886 participants attended the trainings for free.

6. In addition, the representatives of the Ministry of Justice and Ministry of Health, Labor and Social Affairs delivered the training of trainers (TOT) to the youngsters coming from the community of ethnic minorities (Ninotsminda, Akhalkalaki and Akhaltsikhe). They were trained on gender equality and violence against women. The participants discussed the negative aspects and consequences of harmful practices, such as early/forced marriage, domestic violence, etc. The participants will organize the meetings with local population and spread the gained knowledge in their regions in November–December 2017.

7. Apart from this, within the social campaign a website www.imoqmede.ge has been created through which everyone can anonymously report about the alleged violence against women and/or domestic violence.

2. Law Executing Agency Training on anti-discrimination

8. The Ministry of Internal Affairs stays committed to protecting the rights of different minority groups. With this aim, police officers are regularly trained on discrimination issues via basic programs of the MIA Academy and ad hoc trainings provided by donor organizations.

9. The Academy of the Ministry of Internal Affairs provides 3 professional basic training programs for future police officers (Neighborhood Police Special Professional Training Program, Program for MIA Patrol Police Department officers and Border Police Land Border Protection Department Officers' Special Professional Training Program) all of which contain the following training courses:

- Human Rights;
- Police in Multiethnic Society;
- Community oriented Police;
- Prohibition of discrimination and gender equality;
- Domestic violence.

10. Generally, all of the abovementioned trainings are aimed at explaining the concept of discrimination, legal basis for prohibition of such violations and measures to counter them. Since July 2016 until today, overall 1319 police officers were trained in the frames of the abovementioned courses.

11. It is also important to mention trainings, that were conducted with the financial support of international and local donor organizations, such as the training organized by the OHCHR and the EU, in the frames of the "Human Rights for All" program (December 14–16, 2016) and the training of trainers conducted in Strasburg, France on hate crimes committed against LGBT community members (June, 13–15, 2017). Since July, 2016, a total of 177 MIA representatives were retrained through such training programs.

3. Judiciary training on anti-discrimination

12. For the promotion of effective application and implementation of the legislation, Judges, assistants to judges, representatives of the International Court Practice and Generalization Unit of the Supreme Court are systematically and continuously trained in Human Rights studies and in particular, anti-discrimination legislation in line with international standards in judicial practice.

13. Therefore, The Supreme Court and its structural units are in close coordination with High School of Justice. The curriculum on the topic — "Prohibition of Discrimination — National legislation and International standards" was elaborated in 2015 by High Council of Justice. Based on this curriculum, two training sessions were organized for the judges of all instances. In 2016, the High School of Justice has finished working on two study curriculums on — "European and International standards of Human Rights (General course)", which covers the LIN universal Human Rights systems. Two training session were organized on this issues for judges in 2016 and in 2017 with support of international donor organization. Certified Training program was held for representatives of the judiciary on the application of laws and international standards prohibiting all forms of discrimination.

14. Moreover, training session was also organized for the assistants of judges. Main topic of a training "European antidiscrimination legislative frame" covered other related issues, such as: Definition of the discrimination based on article 1 and 14 of the European convention on Human Rights: European convention on human Rights — Protocol No. 12;

Review of ECHR practice on discrimination on the grounds of gender and sex; discrimination on the grounds of religious, political or other opinion; discrimination on the grounds of national language; Within the project of the Council of Europe, invited experts with representatives of the public defender's office conducted training on the fundamental standards of prohibition of discrimination and discussed the practice of the European Court of Human Rights.

15. Apart from this, International Court Practice and Generalization Unit of the Supreme Court has a main task to assist judges for ensuring better substantiation of the judgments, translates and conducts researches on relevant case-law established by the European Court of Human Rights. Namely, the Unit has translated, compiled and analysed all landmark judgments of ECHR related to the prohibition of discrimination. The document was subsequently published on the official website of the Supreme Court (http://www.supremecourt.ge/information25/) and distributed among judges.

16. In addition to this, the International Court Practice and Generalization Unit has prepared a research which evaluates the application of international standards by domestic courts on discrimination cases. The research provides deep analysis of existing court practice on discrimination cases, clearly outlines the flaws related to the implementation of national or international anti-discrimination regulations in practice and proposes the relevant recommendations for judiciary.

17. The result of the research is supposed to be publicly presented and further discussed with the participation of judges and other representatives from the court system.

4. Prosecutor's Office

18. Fight against discrimination is one of the priorities of Prosecution Service of Georgia (referred as Office below). In order to implement international standards and raise awareness on domestic anti-discrimination legislation, various learning activities were conducted in the Office in recent years. In 2016–2017, 25 learning activities were conducted for Prosecution Service employees on anti-discrimination and hate crime in the scope of which 469 employees were trained in total. The trainings were participated by middle-level managers, prosecutors, Office investigators and interns. Special learning curriculum elaborated on anti-discrimination for the Prosecution Service employees contains such topics as international and domestic legal framework, discrimination based on gender, sex, disability, religious and ethnic grounds, hate crimes. The trainings are mainly focused on European Court of Human Rights Court practice:

- Herewith, in 2016 Chief Prosecutor's Office of Georgia and OSCE Office for Democratic Institutions and Human Rights has achieved the agreement over the Memorandum of Understanding based on which PAHCT (Prosecutors and Hate Crimes Training Programme) is being implemented within the Prosecution Service of Georgia. After implementation of the given program, office employees will develop essential skills for effective investigation of hate crimes;
- Herewith, in 2016, distance learning course on anti-discrimination with the use of HELP programme was offered to investigators and prosecutors organized jointly by Prosecution Service and Council of Europe. Within the frames of the first stage of the project 20 employees of the Office were involved in 3-month training activity. In 2017, 2 employees of Prosecution Service participated in ToT on usage of HELP platform. Awareness-raising activities will continue to be conducted in 2018 as well.

19. In 2016, Development Strategy of Prosecutor's Office of Georgia 2017–2021 was elaborated which contains a special section on combating discriminatory and hate crimes. Strategy document prescribes the main activities in the process of tackling hate crimes, their expected outcomes, dates of fulfilment and other indicators. It concerns the importance of the training activities of middle-level managers, prosecutors and investigators as a tool of identification of discriminatory/hate crimes and increasing the effectiveness of prosecutions. Herewith, it is planned to have specialized hate crime prosecutors within the Prosecutor's Office. Additionally, increasing public awareness and

proactive publishing statements on notable hate crimes on the official webpage of Prosecutor's Office is among the measures envisaged by the document.

20. As for cooperation with the Public Defender's Office, Human Rights Unit of Prosecution Service of Georgia cooperates very actively with the Public Defender's Office and exchanges information on criminal cases involving discriminatory grounds, upon request.

5. Ethnic minorities/civic integration

21. In August 2015 a new Civic Equality and Integration State Strategy and Action Plan for 2015–2010 was adopted by the Government of Georgia. The new civic integration strategy is based on more diversity, more integration approach and aims at: contributing to the provision of equality; ensuring ethnic minorities' full-fledged participation in all spheres of public life; preserving national minorities' culture and identity. In recent years, some initiatives have been introduced and launched within various strategic directions of the Strategy and Action Plan.

Civic integration

22. In 2017 Public Advisory Councils became operational at local self-governments. This format of communication/consultancy improved active involvement of ethnic minority representatives in decision making processes. Increased participation in civic processes includes ensuring access to the public administration. Therefore, in summer 2017 Office of the State Minister for Reconciliation and Civic Equality initiated an internship pilot program for ethnic minority students, beneficiaries of "1+4 Program". It implies recruitment of ethnic minority students for enhancing their knowledge and skills. As a result of the program, 67 ethnic minority students undergo internship at 21 state agencies and local self-government bodies for 3-months period.

Small vulnerable groups

23. Specific attention was given to vulnerable and smaller ethnic minorities groups with their specific needs. Registration of Roma population and the process of ensuring their legal support is in progress. In parallel, special educational program "Social Inclusion" which aims at integration of children, also Roma children, into formal education is under implementation. Within the program, educational clubs are established in the regions of compact settlement of Roma, where Roma children together with their Georgian peers are carrying out various educational and cultural activities, including Georgian language classes. As an outcome of the program, the number of children studying Georgian language has significantly increased, also the number of Roma children attending public school increased from 88 in 2015 to 225 in 2016; some Roma became involved in vocational education as well. As to other small ethnic minorities, standards for Ossetian, Avar, Udi, Kurdish, Chechen and Assyrian languages have been approved and these languages are introduced in various (upon request) public schools. Since 2017 Abkhaz language courses have been additionally introduced at some schools of Adjara region.

Gender mainstreaming

24. Awareness raising campaign has been conducted on human rights, antidiscrimination, domestic violence and early marriages issues for ethnic minority women living in the villages of Kvemo Kartli, Kakheti and Samtskhe-Javakheti regions. Hot line on domestic violence issues is operational for ethnic minority women in their native languages.

Access to information and media

25. In order to improve access of ethnic minorities to broadcasting programs and electronic/printed media in minority languages live re-broadcasting of Georgian version news program with simultaneous translation in Armenian and Azerbaijani languages is aired on daily basis through regional TV channels since August 2016. Daily news programs in Ossetian, Abkhaz and Russian languages are also available.

26. News program in five minority languages, also in Kurdish is aired once a week in public radio. In 2016, the following websites were launched in five languages under the umbrella of the Public Broadcaster: http://multitolerant.gpb.ge/ which includes sub-pages (www.abkh.gpb.ge; www.os.gpb.ge; www.am.gpb.ge; www.az.gpb.ge; www.ru.gpb.ge). Along with news, web pages cover the unique archive materials stored in the "golden fund" of the television in all five languages. In parallel, five different-language pages are created in social network, which are even more interactive. The entire TV shows/programs of the Georgian Public Broadcaster, as well as separate news and exclusive stories are uploaded on YouTube. Government of Georgia continues further financial support of Armenian and Azerbaijani language newspapers.

Education

27. Ethnic minorities have access to all levels of education (preschool, general, higher, vocational), including in their native languages. There are 220 non-Georgian language schools and 81 non-Georgian language sectors functioning in Georgia. Ministry of Education and Science of Georgia carries out "1+4 Program" for ethnic minorities (Armenians and Azerbaijanis) wishing to continue studies at Georgian Higher Education Institutions (HEI). One year study is fully financed by the State to master their language skills in order to pursue their higher education in Georgian language. Since 2016–2017 academic year the program is available for Abkhaz language young people and since 2015–2016 academic year — for Ossetian language students. The enrolled students are provided with state grant. [Statistical data: *In 2013 890 non-Georgian entrants were enrolled at HEIs, in 2014 — 673, in 2015 — 741, while the number for 2016 equalled to 960 students, in 2017 — 1,047*].

Preservation of culture

28. The state supports ethnic minority's theatres, museums and cultural centers, also activities aimed at promoting and popularizing cultures of ethnic minority groups, as well as inter-cultural dialogue. Registration and granting the status of cultural heritage monuments to various buildings as well as monitoring of monuments is in progress. The monuments of various ethnic groups are also under rehabilitation. In 2015 Muslim Jame in Kobuleti municipality and in 2016 Norasheni Armenian Church were renovated. Ministry of Culture and Monument Protection has conducted verification of German heritage in Georgia, also the process of monitoring of Muslim monuments in Georgia and identification of cultural monuments that need immediate rehabilitation are underway.

Regarding the term "Meskhetian Turks"

29. The term "Meskhetian Turks", mentioned in the Concluding Observations, is not referred by the Georgian legislation or by any international document. It is more apt to refer to the persons in question, as the people who were forcefully sent into exile from the Georgian territory by the former Soviet Union in the 40's of the 20th Century.

II. Information on the implementation of recommendation contained in paragraph 23 (stateless persons) of concluding observations as requested by the Committee on the Elimination of Racial Discrimination

1. Reduction of Statelessness

30. Since 2010, the Public Service Development Agency of the Ministry of Justice (hereinafter — PSDA) closely cooperates with UNHCR within the framework of the project "Promoting of Reduction of Statelessness and Ensuring a Safe Environment in Georgia".

31. Notably, Georgia also joined the Global Campaign to End Statelessness initiated by the UNHCR in 2014. Within the framework of this Campaign, the Government of Georgia

has elaborated the draft Action Plan, focusing on the reduction and elimination of statelessness in Georgia. Currently the inter-sectorial negotiations are underway for the final refinement of particular areas.

32. Apart from this, the Working Group (WG) on Statelessness is operating under the State Commission on Migration Issues (SCMI), which is the main policy-shaper in the field of migration and is chaired by the Minister of Justice. The WG on Statelessness is in charge of drafting the National Action Plan to end statelessness, which will be finalized by the end of 2017. UNHCR/PSDA joint project will also promote the implementation of national action plan.

33. As a result of consistent and coordinated State policy on the reduction of statelessness the number of stateless persons was significantly decreased in Georgia — from 1958 in 2011 to 591 stateless person in 2016.

34. This progress has been achieved due to progressive legal amendments undertaken by Georgia in recent years. In particular:

- As Georgia acceded to the 1954 "Convention on the Status of Stateless Persons" in December 2011, the special procedure for the determination of the status of statelessness was introduced, which brought Georgia among those first-comers that created legal framework to regulate this issue. Moreover, the legal amendments in up to 11 legal acts were introduced in order to harmonize national legislation with the abovementioned Convention;
- The Organic Law of Georgia "On the Citizenship of Georgia" was amended to create the legal grounds for granting the Georgian citizenship to the children of the stateless people. According to the new regulations, the child of stateless person will get the Georgian citizenship if:

  (a) The child is born on the territory of Georgia via surrogacy and none of the parent's country recognizes him/her as its citizen;

  (b) The child is born on the territory of Georgia and his/her parents have stateless status;

  (c) The child is born on the territory of Georgia and one of the parents has stateless status and the another one is unknown;

  (d) The minor is living in Georgia and both of his/her parents are unknown (either parent's identity or their citizenship).

- The Organic Law of Georgia "On the Citizenship of Georgia" has introduced three options for the naturalization of stateless person:

  (a) Ordinary way of naturalization, which requires the following:

  (i) Constant living on the territory of Georgia for the last 5 years before applying for the citizenship of Georgia;

  (ii) Knowledge of Georgian language, history and basics of law within certain standards;

  (iii) Employment in Georgia, and/or having immovable property or business in Georgia or having shares in the private company of Georgia.

  (b) Simplified way of naturalization, upon which Georgian citizenship is granted to the person, who is married with Georgian citizen and is legally living in Georgia constantly for 2 years before the submission the application, knows Georgian language, history and basics of law and do not exists the grounds for refusal of naturalization.

35. Apart from this, the Georgian citizenship will be restored to the stateless person, if the citizenship was revoked illegally, upon the parent's decision or the loss of citizenship. In order to restore Georgian citizenship, the stateless person, is required to know Georgian

language and the grounds for refusal should not exist. These requirements are not applicable to the person, whose citizenship was revoked illegally.

36. Very frequently the status of statelessness was caused by the lack of certificate that approved the fact of living on the territory of Georgia. To address this issue, the local municipalities got involved in the proceedings since 2016. In particular, the local municipalities are authorized to issue the relevant certificate confirming the fact of living of a person concerned on the territory of Georgia. The PSDA can rely on the official certificate of the municipalities while deciding the status of citizenship of the person.

2. Registration of Roma people in 2016–2017

37. The Ministry of Justice of Georgia pays particular attention to the registration of the Roma people. In 2016–2017, up to 5 Roma persons were provided with relevant identification documents by PSDA in close cooperation with the local NGO Innovations and Reforms Center (IRC).

2016–2017 statistic data regarding the registration of the Roma people

Type of document	*In total*
ID document	3
Temporary residence permit	1
Birth registration document	1
In total	5

3. Children working and/or living in the streets, including those who are from Roma community

38. Protection of the children in street situations, especially Roma children pose one of the biggest challenge. They might be subjected to different types of violence, abuse and exploitation. To address this issue the Government of Georgia initiated re-examination of the legal framework entailing such measures as furnishing these children with free of charge identification documents, improving the child protection referral mechanism and strengthening the role of the social workers in the process of separation of minor from perpetrator or removal of child from the family.

39. In particular, the legal amendments have two main dimensions:

- It provides the legal definition of children living and/or working in the streets, who are identified and granted the status of homeless children by a social worker. Granting the status of homeless children aims at creating a legal basis to provide those kids with free of charge identification documents in order to ensure the access to different state run services, including education, medical, social or other kind of services. The guardianship and custodianship body operating under the SSA, is authorized to refer the case to the LELP Public Service Development Agency operating under the Ministry of Justice of Georgia (*hereinafter* — PSDA), entitled for the civil registration, granting the identification documents for homeless children;
- Legal amendments aim at strengthening the role of social worker. According to the new regulations, a social worker is granted the mandate to assess whether a child is the victim of any type of violence and make a decision to remove the child from family or environment where the violence was committed.

40. The draft amendments in up to 10 legal acts were adopted by the Parliament of Georgia on 22 June 2016 and came into force on 10 August 2016.

41. As of November 2017, 13 temporary identification documents, 1 electronic Identification Document and 2 passports were issued to children with homeless or/and victim of violence statuses.

4. Access to public services

42. Georgia pays special attention to ensure easily accessible public services. For that reason, 19 Public Service Halls in big cities and 50 Community Centers[1] in villages are operating across the country.

43. The mission of Public Service Hall (PSH) is to issue documents and render services the exclusive right to which is owned by State. The conception is based on the "One-Stop Shop Principle" and infers the system whereas vast majority of public services is gathered together. Under its Statute adopted by the order of the Minister No. 85 dated 25 July 2016 the functions of the PSH include:

- Carrying out the responsibilities of administrative bodies or legal entities in order to provide citizens with appropriate consultation or/service in accordance with the contracts formed with aforementioned organs or entities;
- Proposing the ideas focused on the growth of the efficiency of public services and promoting the implementation thereof;
- Supporting other administrative bodies for improving the efficiency of their services;
- Implementing other activities requisite to achieve the objectives of Public Service Hall.

44. Public Service Development Agency, a Legal Entity of Public Law operating under the Ministry of Justice, has been actively working for the enhancement of capacity of local governments over the past several years. Georgian government has implemented a number of significant reforms in the public sector by using modern information technologies. As a result of these reforms, the population in cities and municipal centers can use quality services, though the access of rural population to services offered by the state was still restricted.

45. Since 2011, the PSDA, with the financial assistance from the European Union, has been implementing the project named "Introduction of E-Governance in Local Governments". The project aims at building capacity of local governments through improving governance in local government entities, providing quality services to local population and developing local infrastructure. In the first phase of the project, Public Service Development Agency drew up the concept of Community Centers (CCs).

46. Community Centers enable local population to get more than 200 public and private services without leaving their villages. Users of the community centers can enjoy services offered by the Public Service Development Agency, the National Archive of Georgia, the National Agency of Public Registry, and Social Service Agency.

47. Community Centre is a space equipped with modern infrastructure and technology. Centers are staffed with employees, recruited on a competitive basis among the local population and trained to provide the central government and private sector services by means of e-governance.

48. Moreover, a modern digital library, free Internet service, computers and conference call equipment are available to local population. Community Centers host Local Government representatives' offices' and offer a space for fostering civic engagement activities on the ground. Free Internet, computers, conference call equipment and modern e-library services are also available to individual citizens.

49. Apart from providing access to services, Community Centers perform a role of mediator between the population and the government. The central and local governments as

[1] By the end of 2017, we will already have 51 Community Centers.

well as civil society representatives are able to use Community Centers for communicating with the local population; introducing new services, initiatives, legislative changes and organizing public awareness raising events.

50. The PSHs deliver up to 400 services and serve in average 20,000 customers per day, while the Community Centers deliver more than 200 public and private services to the rural areas, adjacent or in the vicinity of the occupation line or conflict-affected areas (Mejvriskhevi, Orsantia, Rukhi, Duisi (Kvareltskali), Jvari, Tkviavi, Berdzenauli), those with large ethnic minority settlements and villages, locates remotely from the municipal centers.

51. In both PSH and CCs front and back offices are separated (operating under the different Legal Entities of Public Law), which absolutely excludes any possible cases of corruption. Minimum timeframe for service delivery — average waiting time is 3–4 minutes, while the service is delivered in 7 minutes.

52. The whole system aims at providing local population, especially in rural areas, with accessible public services, such as birth registration, identification documents, citizenship, etc. The whole bunch of programs and services mentioned above also promotes the reduction of statelessness.

5. Repatriation issues

53. Within the framework of the law "On Repatriation of persons forcefully sent into exile from the Soviet Socialist Republic of Georgia by the former USSR in the 40's of the 20th Century" a time period for receiving applications for the status of repatriate was fixed, which was considered fully enough for submitting documents by the repatriation status seekers. The deadline was prolonged twice. Georgian Government received 5,841 applications from all the states where exiled Meskhetians and their descendants live in. The majority of applications were presented with errors. Taking this fact into account the amendment was made in the law, according to which, the deadline given to the repatriation status seeker applicants for remediation of errors in application and/or the attached documents was set to 4 months instead of 3. To date, the number of repatriate status holders is 1998.

54. The process of granting repatriate status is completed as the Ministry has fully reviewed applications and has made relevant decisions according to the existing legal framework.

55. On 30 March 2010, the Government adopted a resolution (No. 87) on the "Simplified Procedures of Granting Citizenship for Individuals Enjoying the Repatriate Status". Currently, the above-mentioned issue is regulated by the Organic Law on Georgian Citizenship and the Presidential Decree No. 237 (10 June 2014) on the Regulation of Consideration and Decision-Making on Matters of Georgian Citizenship.

56. On the grounds of mentioned legal instruments, the person has the right to apply for Georgian citizenship under simplified procedures within 2 years since granting the status of repatriate. Since publication of the Decree on granting Georgian citizenship, the person has 2 years to abandon the foreign citizenship. Despite the fact that 494 persons have been granted conditional citizenship, none of them abandoned their foreign citizenship. Taking above-mentioned circumstances into account, the amendment was made in Decree N237 on 23 august 2016. According to the amendment, the date for submission of official document proving the abandonment of foreign citizenship was fixed for 5 years instead of 2 years. Consequently, the date has been prolonged for above-mentioned 494 persons as well. The fact of granting repatriates conditional citizenship and giving them time for abandonment of foreign citizenship aimed at ensuring removal of constraints related to time limit. Under Article 3 of the Organic Law of Georgia on Georgian Citizenship, a Georgian citizen may not concurrently be a citizen of another country. Accordingly, for persons granted repatriate status the abandonment of foreign citizenship is obligatory for obtaining Georgian citizenship.

6. Georgian asylum system

57. Georgian asylum system has been enhanced during recent years since new legislation and procedures were introduced in the asylum process.

58. On 1 December 2016 the Parliament adopted the Law on "International Protection" (hereinafter: Law) which entered into force from 1 February 2017. The follow-up by-laws have been adopted accordingly, including but not limited to the Ministerial Decrees on "Asylum Procedure"; "The Rule for Taking and Processing Fingerprints in Asylum Procedure"; "The Dates for Storing of the Personal Data Processed under the Law of Georgia on International Protection"; "The form of Asylum-seekers Card, the rules regarding its provision and modification"; "The Rule for Accommodation of the asylum-seeker in the Reception Centre or Another Place". The legislation has also been supported by Standard Operational Procedures and Terms of References for asylum authority applicable on different stages of the asylum procedure.

59. The new Law defines terms and brings definitions in line with the 1951 Convention on Refugees. The Law enshrines conditions of entry, stay and standards of treatment on the territory of Georgia for aliens and stateless persons, who have requested international protection in Georgia; the legal status, rights and obligations, as well as social and economic guarantees of asylum-seekers, refugees, humanitarian status holders and persons under temporary protection; the grounds and procedures for granting refugee and humanitarian statuses and temporary protection to aliens and stateless persons in Georgia, as well as grounds and procedures for cancellation, cessation, revocation and exclusion from the status; and the competencies of the state agencies and rules of coordination of their activities for guaranteeing fair and effective asylum procedure.

60. The Law specifies general principles and strengthens procedural safeguards at all stages of the asylum procedure; introduces special procedures for persons with specific needs; elaborates rights and freedoms of asylum-seekers, refugees and other persons in need of international protection, providing them with more favourable protection.

61. The new law also defines following principles in compliance with EU legislation: the principle of Non-refoulement; Non-discrimination; the principle of Confidentiality; Family Unity; Family Reunification, Derivative Status, Best Interest of a Child; Mass Influx, Person with Specific Needs, Internal Flight Alternative, Single Parent, Exemption from Criminal Responsibility for Illegal Entry, Reasons for Denial of Refugee Status, etc.

62. Asylum procedure in Georgia enshrines procedural stages from the moment of requesting asylum in Georgia until the final decision regarding international protection, including entry into force of the judgment of a Court.

63. MRA registers the request on International Protection upon which it is considered that an asylum seeker has lodged an application on international protection. Prior registration, an alien or stateless person has access on asylum and can request international protection at the border as well as at the territory of Georgia; request can be submitted directly to MRA or to other state agencies: the Ministry of Internal Affairs of Georgia (at the Detention Centre), Prosecutor's Office (during extradition procedure) and at the penitentiary establishments of the Ministry of Corrections. The competent official of those agencies provides information to an alien or a stateless person on the possibility to request international protection in Georgia as well as existing asylum procedures. Upon request for international protection, the relevant State agency receiving the application on international protection refers an asylum-seeker to the MRA within the three working days. In case of requesting for international protection at the border, the request of the asylum-seeker is sent to MRA, where the asylum seeker's application is registered.

64. According to Georgian legislation, asylum-seekers are exempt from criminal responsibility for illegal or undocumented entry or presence on the territory of Georgia.[2]

[2] Article 7 of the Law.

65. Additionally, there is a special procedure for a request for international protection made by the person with specific needs[3] — such request is immediately referred to the MRA by the responsible agencies. If an asylum-seeker is an unaccompanied minor, the guardianship and custodial institution appoints guardian/custodian without a delay.

66. MRA ensures the provision of accommodation in the Reception Centre in Martkopi for those asylum-seekers who are in need of such assistance.

67. During the whole asylum procedure asylum-seekers are provided with interpretation arrangements free of charge in order to ensure effective communication in her/his mother tongue or language that she/he understands. If possible, the asylum-seeker is interviewed by a competent official of the same sex, and is provided with the services of a competent interpreter of the same sex, unless requested otherwise by the asylum-seeker.

68. Any decision of MRA made during the Asylum Procedure can be appealed within one month period of time after official notification of the decision to the asylum-seeker, in accordance with Georgian legislation.

69. Free legal assistance and representation in court regarding their asylum claim is accessible for asylum-seekers, refugees and humanitarian status holders from 1 January 2016. Legal aid is provided by Legal Aid Service, a state funded organization. Information about the possibility of free legal assistance is provided for the asylum-seekers, refugees and humanitarian status holders during RSD procedure. Trainings for the lawyers are being conducted by MRA, UNHCR and ICMPD.

70. Before final decision of the Court, asylum-seekers enjoy the rights and guarantees provided by the Law of Georgia on International Protection.

71. If the first instance Court rejects the claim of the asylum-seeker, she/he is allowed to appeal the decision in the second instance Court which makes final decision regarding the asylum case.

72. In 2015, there was made an amendment in the Law of Georgia on Refugee and Humanitarian statuses indicating special grounds for rejecting asylum application (when there is a an *information that indicates a high degree of probability of the person's connection with: a) the armed forces of the country/organization hostile to the defence and security of Georgia; b) the intelligence services of another state; c) terrorist and/or extremist organizations; d) other criminal organizations (including transnational criminal organizations).*

73. The amendment ensures the balance between the protection of the rights of asylum seeker and the state security interests.

74. Furthermore, the asylum seeker is provided with the reasoning part of the decision translated to his/her native language which will guarantee asylum seekers' right to appeal the negative asylum decision in the court, even if the decision is based on the reasons of national security.

75. It is noteworthy that in case of request by courts the Counterintelligence Department of the State Security Agency provides appropriate materials and examinations is carried out without hindrance. In addition, Public Defender of Georgia and authorized employees of its Office are entitled to access above mentioned materials, which ensures high degree of monitoring on protection of human rights.

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[3] In Article 3 (w) of Law, person with specific needs is defined as minor, unaccompanied minor, disabled person, victims of trafficking, a person with serious physical or mental illness, victims of post-traumatic disorder or consequences of torture, rape or other serious forms of psychological, physical or sexual violence, also other persons who make an asylum application in Georgia and are in need of special procedural guarantees to enjoy the rights and take responsibilities prescribed by the Law